

# Developing 301 W. Broad Street: Winter Hill Residents' Concerns

While Rushmark LLC's planned development of 301 W. Broad Street offers potential benefits to Falls Church, and while its sponsors appear genuinely to want a high-quality project, we residents believe major changes are needed to the initial design, <sup>1</sup> which fails to meet essential needs of our city's downtown plan and of our neighborhood.

The building is supersized, piling on more apartments, retail space and vehicle traffic than can be wisely built in 2.63 acres at the city's center. While developers echo the city's desire for public spaces that invite people to walk downtown, they offer a massive supermarket building whose real invitation is to people in cars hauling home the week's groceries.

Rushmark proposes dwellings and retail space on a scale comparable to the Spectrum,<sup>2</sup> at 444 W. Broad, but crams it into a site 20 percent smaller. Where the Spectrum's open plaza seems to exemplify the walkable public space being sought downtown, Rushmark's design squeezes out any inviting public space and crams its undesirable, industrial elements against neighboring homes.

While this document has been prepared by a group of residents living closest to the proposed development, we and our neighbors represent a range of views. We note that many of our Winter Hill neighbors are adamantly opposed to any development remotely as intensive as this, and regard Rushmark's proposal as an affront to our community. Still, our community is highly unified on the concerns below, based on information available to us as of 11 December 2012.

## I. DESIGN CONCERNS FOR NEIGHBORS CLOSEST TO THE SITE

The development proposal fails to make even the minimal accommodations to adjoining homes that are called for in the City's Comprehensive Plan. As presented, it would harm home life and property values for the Winter Hill residents closest to the site.

• **TRAFFIC, POLLUTION, NOISE AT REAR OF BUILDING.** The project places a service alley, loading docks and trash compactor, with their associated trucks, noise and diesel fumes, *as close as possible* to the site's neighboring homes. The alley passes within five feet of residential property and the loading dock is within 36 feet. The location of both the alley and loading dock disregard zoning code provisions governing buffers and setbacks between residential and commercial property lines. (Rushmark's Patrick Kearney told us that a similar project estimated supermarket truck deliveries at 12 to 20 daily, including 18-wheel tractor-trailers. We have no estimate yet of the frequency for waste/recycling trucks. The size and number of trucks, plus idling of diesel engines, will significantly increase noise and pollution at adjacent homes compared to the old post office, with its smaller vehicles and no idling.)

Near West Annandale Road, the alley becomes a two-way entry-exit for customers of the proposed (all-night) retail business. It exits onto Annandale about 15 feet from residential property, which again disregards the zoning code. Access to the former post office parking lot is currently designated one-way and cut through traffic from Broad Street is prohibited to minimize the impact to local residences; this carefully constructed traffic flow is undermined by the proposed plan. This is particularly unacceptable in view of the developers' proposal for a 24-hour retail business and wide parking entrance. Furthermore, because of the falling grade between the proposed project and

neighboring homes, the proposed road is above the neighboring properties. The noise, air pollution and light from the trucks, loading docks and retail traffic will harm our homes, pollute our air, make our back yards less enjoyable, and limit our ability to sleep at night. We want the alley and dock moved away from the residential property line.

**RESPONSE:** *To address the issue of the adverse impact of “back of house” elements, the loading dock area, trash area, and a portion of the service drive is now internal to the building. Electronically operated loading dock doors, proper soundproofing and ventilation will serve to greatly reduce the impacts of back of house elements.*

**Discussion and coordination efforts with Harris Teeter regarding their operations plan for the site are ongoing. Limiting impacts to the neighbors from operating activities is a goal for both the Applicant and Harris Teeter.**

• **INADEQUATE BUFFER AND NO STEPBACK" OF THE BUILDING.** We are seeking an adequate setback and buffer between our two-story town homes and a massive building that would rise to 83 feet above ground level.<sup>5</sup> Plans presented by Rush mark on 29 Nov. show the building rising in a vertical cliff - as little as 50 feet from back windows and doors of our homes, and from children's play areas - with no "step backs," or tapering of its profile which again disregards zoning code provisions governing projects built next to residential neighborhoods. Rushmark proposes to buffer neighboring homes from this massive structure with a screening wall perhaps six to eight feet high and landscaping along a strip as narrow as one foot. This would offer residents insufficient protection (especially from the alley, loading docks, parking lot entrance, etc., noted above). This project would cut sunlight to more than 30 homes, so we have asked the developer for a study of its winter and summer sun-shading effects. We also seek drawings to show backyard perspectives with and without whatever screening wall and landscaping the developers will propose. And we want to learn details of the proposal's treatment of trees, both existing and new.

**RESPONSE:** *The building massing and height has been shifted to W. Broad Street, creating substantially more building setback from the adjacent properties to the residential portion of the project. The redesign of the project has the additional positive benefit of freeing up area to provide the full required buffer and planting areas along the western property line. The buffer along the west boundary is now 20 foot in width and provided with a Type D buffer yard. The proposed service drive running parallel to the southern building edge is now 15 ft in width with a one-way direction to reach the service/loading area.*

• **ELECTRICAL TRANSFORMERS.** The October site plan shows three six-foot-high electrical transformers mounted on concrete pads just over 10 feet from the wall (not the lot line) of the nearest home. Because of noise and safety concerns, we would like these moved away from residences, which developers have agreed to explore.

**RESPONSE:** *The transformers, previously shown in the buffer area, have been relocated out of the buffer area and placed on the other side of the service drive adjacent to the loading dock entrance.*

• **PARKING GARAGE VENTILATION.** The October plan would vent the building's

mechanical systems, including the parking garage, at a point 48 feet from the nearest Winter Hill homes, raising noise and pollution concerns for neighbors. Designer Jasna Bijelic (from architectural firm DCS) said 29 Nov. that later plans have moved this vent to face Broad Street. We want it to remain removed from residences.

**RESPONSE:** *Parking garage ventilation will meet or exceed city code requirements.*

- **DRAINAGE.** We want to ensure that the development will manage surface water, both during its construction phase and as a finished site, and not cause storm runoff onto our properties

**RESPONSE:** *An erosion and sediment control plan shall be required at the final site plan stage. Calculations shall be required at the final site plan stage to demonstrate the following: (1) Total runoff volume is not increased from pre-development conditions and (2) an additional 10% phosphorus removal is achieved. Currently, no stormwater management exists at the site.*

- **UTILITIES.** We want to learn what effect, if any, the proposed project will have on us as neighboring users of the electrical power and water supply grids.

**RESPONSE:** *Building permits will not be obtained from the City of Falls Church if adequate utilities are not available for the project or adverse effects to the community are shown. The Falls Church Department of Public Utilities operates and maintains the sewer and water distribution system. They have stated that adequate water and sanitary sewer is available for this project. Electrical connections will be obtained from Dominion Power whose business is to provide reliable power for all of their customers.*

## **II. DESIGN CONCERNS FOR WINTER HILL RESIDENTS**

Many residents across the broader Winter Hill neighborhood feel this project is simply too dense, and will create new vehicle traffic and parking needs that it does too little to rectify. The spillover of traffic and parking demand will increase problems both downtown and in our residential neighborhood.

- **A SUPER-SIZED SUPERMARKET.** Rushmark offers a suburban-scale supermarket masquerading as an urban, walkable space. On this confined, downtown site, it proposes to build by far the biggest Harris Teeter grocery in Northern Virginia. The store's 61,500 square feet would equal or surpass the Giant supermarket at 1230 Broad Street (and Haycock Road), and is far greater than the typical Harris Teeter store. Worse, Rushmark spreads the store across a single floor, using a suburban model rather than the two-story stores that Harris Teeter operates in other urban locations. It is largely these choices that enforce major negative aspects of the plan: the building's suffocating size, lack of open, public space and proper buffers and setbacks on its boundary with neighboring homes. Most of us are not opposed to a Harris Teeter supermarket, but a good design will require a smaller store, perhaps on two floors. The plan for 24-hour operations risks causing noise and light from late-night traffic in and out of the site. We will want steps to mitigate this risk, including the nighttime closure of any entry near Winter Hill's homes.

**RESPONSE:** *To address the issue of the adverse impact of “back of house” elements, the loading dock area, trash area, and a portion of the service drive is now internal to the building. The recently completed Harris Teeter in Tyson’s Corner is approximately 65,000 square feet.*

• **PARKING CAPACITY.** The plan’s 586 parking spaces (on three underground levels) are 250 short of zoning requirements. This, combined with the anchoring role of a supermarket whose customers would be heavily dependent on cars to haul groceries, gives us concern. A failure of this project to meet the parking demand it generates would push overflow parking onto West Annandale Road and adjacent residential streets, which now are filled meeting the needs of Winter Hill residents and their guests. We want this project to increase its supply or reduce its need for parking.

**RESPONSE:** *The Parking Assessment that was completed reviews parking demand based on the City’s current requirements, ITE rates, and internal synergy of land uses. Finally, using the proposed urban parking rate of 1/310sf retail use and 1.3/DU, similar to other developments in the area and local jurisdictions with successful parking rates, the parking demand will be met with the parking spaces provided.*

• **TRAFFIC, ESPECIALLY ON ANNANDALE ROAD.** The current plan would funnel all exiting truck traffic, plus *all* traffic by residents of the 294 apartments and some of its retail traffic, onto West Annandale Road. This likely will lead to increased violations of the speed limit and of stop signs, especially at the intersection of Annandale and Gundry. New traffic controls at that intersection might be required. We also are concerned about the project’s potential to increase traffic on Broad Street.

**RESPONSE:** *Concerns over commercial traffic flow have been addressed by shifting the entrance for commercial vehicles to Annandale Road and exit to W. Broad Street.*

• **IMPACT ON BIG CHIMNEYS PARK.** The addition of hundreds of new residents, plus visitors, to this site, just across the street from Big Chimneys Park, will significantly increase usage of the park. This will sharpen the need to address the park’s drainage problems and assess whether the park’s facilities could handle such an increase. We should seek opportunities to improve Big Chimneys in line with the existing plan for its development.

**RESPONSE:** *Community benefits such as improvements to Big Chimney Park will be discussed with City staff.*

### **III. CONSTRUCTION CONCERNS FOR NEIGHBORS OF THE SITE**

Winter Hill is conscious of the risks to homeowners from adjacent construction, notably following the excavation in 2005 for the Pearson Square complex, which caused the subsidence of adjacent land, damaging the homes of some of our neighbors on Gundry Drive.

• **EXCAVATION RISKS.** The October drawing proposes excavation to the lot line, as little as 15 feet from the foundations of Winter Hill homes. Developers said 29 November that the planned underground garage, with its deep excavation, will be moved back to the vertical plane of the main building, approximately 35 feet into the site. We are concerned about noise, vibration and the risk of damage to home

foundations from the digging and the driving of piles. (Can helical piers be augured into the ground, rather than having piles driven?) We ask that the city and developer conduct or fund home inspections before any ground is broken to prevent any argument about causality in the event of damage. Meters should be installed to ensure detection of any movement of home foundations/walls. A soil and groundwater analysis should be done before construction to avoid a "de-watering" of land under our properties (which was cited by city inspectors as a cause of the subsidence and property damage next to Pearson Square). Will additional insurance for adjacent townhouses be required?

**RESPONSE:** *The redesign of the project has the positive benefit of freeing up area to provide the full required buffer and planting areas along the western property line. The building setback along the southern property line abutting the R-M district is 15 ft. All setback requirements meet or exceed City code. City codes will regulate excavation and construction.*

• **CONSTRUCTION CRANES OTHER CONSTRUCTION RISKS.** We want to know the details of safety measures that would be applied in the event of construction cranes being used on the site.

**RESPONSE:** *City codes will regulate construction and will be enforced. Construction contractors working on the project will be licensed, bonded and insured.*

• **NOISE, TRAFFIC, CONSTRUCTION HOURS.** To mitigate the disruptions of construction noise and traffic, we would ask that weekday construction not begin until after the passage of school buses picking up our children. Currently, that would be about 8:30am. We would ask for construction to end by 6 p.m., and not to take place on weekends.

**RESPONSE:** *City codes will regulate construction times.*

• **PEST CONTROL.** Construction vibrations can trigger rats, etc. to take refuge in nearby homes. Especially at Anthony's Restaurant, we would want a process of pest extermination undertaken before the start of any demolition work.

**RESPONSE:** *A process of pest control will occur prior to the start of any demolition work.*

• **PEDESTRIAN TRAFFIC BETWEEN BROAD ST. AND ANNANDALE RD.** Currently, the post office parking lot is well trafficked by pedestrians. This proposal would funnel pedestrians on a side walk next to the traffic aisle, through the underground parking and up escalators before reaching Broad Street.

**RESPONSE:** *A safe, well-lighted and logical pedestrian access point has been provided.*

## **CONSTRUCTION ISSUES II: Concerns of Winter Hill Residents**

• **NEIGHBORHOOD IMPACTS DURING CONSTRUCTION.** We are concerned about the possibility of traffic constrictions and power outages, in addition to the issues noted above (of noise, pests, excavation risks, etc.), during construction.